

SAIC0008-CON1
Serial No. 10'760,472

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PATENT

REMARKS

Claims 33, 36-41 are pending in this application. Claims 34, 35, and 46-49 are cancelled. Claims 33 and 42 are amended. No new matter has been added. Claims 33, 34, 36-49 are rejected as follows: claims 33, 34, 36-40 and 42-49 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Number 6,182,066 to Marques ("Marques") in view of U.S. Patent Number 6,151,624 to Teare et al. ("Teare"); claim 41 is rejected under 35 U.S.C. §103(a) as being unpatentable over Marques and Teare as applied to claim 33 and further in view of U.S. Patent No. 6,301,579 B1 to Becker ("Becker"). Claim 35 is objected to as being dependent upon a rejected base claim. The undersigned thanks the Office for this indication of allowability. Claims 35, 42 and 46 were previously rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 6, 7 and 8 of U.S. Patent No. 6,701,314 ("the '314 patent"). As suggested by the Office, the undersigned will address this matter once the pending claims are indicated as being allowable over the prior art of record. In view of the amendments and remarks presented herein, the undersigned respectfully traverses these rejections as set forth below.

Rejection of Claims 33, 34, 36-40 and 42-49 Under 35 U.S.C. §103(a)

Claims 33, 34, 36-40 and 42-49 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Number 6,182,066 to Marques ("Marques") in view of U.S. Patent No. 6,151,624 to Teare et al. ("Teare"). The undersigned has amended independent claim 33 to include the limitation of claim 34 as well as the allowable subject matter of claim 35 as suggested by the Office. Claim 42 has also been similarly amended. Claims 46-49 have been cancelled. In light of the amendments to independent claims 33 and 42, the undersigned

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representative requests the rejection of claims 33, 36-40, and 42-45 under 35 U.S.C. §103(a) as being unpatentable over Marques in view of Teare be reconsidered and withdrawn.

Rejection of Claim 41 Under 35 U.S.C. §103(a)

Claim 41 is rejected under 35 U.S.C. §103(a) as being unpatentable over Marques and Teare as applied to claim 33 and further in view of U.S. Patent No. 6,301,579 B1 to Becker ("Becker"). For at least the reasons set forth in the preceding section, the undersigned representative request the rejection of claim 41 be reconsidered and withdrawn.

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CONCLUSION

The undersigned believes that the pending claims are allowable over the cited prior art and respectfully requests a notice of allowance to this effect. Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account No. 501458.

Respectfully submitted,

Date: December 18, 2006
KILPATRICK STOCKTON LLP
607 14th Street, N.W.
Suite 900
Washington, DC 20005-2018
(202) 508-5880
(202) 585-0041 fax

By: /Dawn-Marie Bey - #44,442/
Dawn-Marie Bey
Registration No. 44,442